

Applicants : Stevan Horning et al.
Serial No. : 10/763,401
Filed : 01/23/2004
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Attorney Docket No.: 12671-016001
Client Docket No.: 1007US/NAT

REMARKS

Applicant filed an Information Disclosure Statement on September 15, 2005, which was filed after the Notice of Allowance was mailed, but before payment of the issue fee. Applicant was notified in a voice mail from the Examiner on Thursday 20th October, 2005, that the Information Disclosure Statement had not been received by the United States Patent and Trademark Office, and Applicant has not yet received any confirmation from the United States Patent and Trademark Office that it was received.

In the event that the Information Disclosure Statement has not been received by the time the issue fee is paid, Applicant respectfully submits a copy of the Information Disclosure Statement that was filed on September 15, 2005, and authorizes the Commissioner to charge Deposit Account No. 50-3267 the amount of \$180 in payment of the late submission fee of §1.17(p). It is believed that no other fee is due however the Commissioner is hereby authorized to charge any fees which may be required, or to credit any overpayment, to Deposit Account No. 50-3267.

Each of the items cited in the Information Disclosure Statement (i) was cited in a communication from a foreign patent office in a counterpart foreign application, the communication being dated August 16, 2005, which is not more than three month prior to the filing of the Information Disclosure Statement, and (ii) was not first cited in any communication from a foreign patent office in a counterpart application which was more than three months prior to the filing date of the Information Disclosure Statement.


In view of the reasons set forth above, Applicant believes that the application should proceed to issue. If the Examiner believes that a telephone conference may be useful to advance the prosecution of the Application, he is invited to contact the Applicants' undersigned representative.

Dated: 26 October 2005

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Respectfully submitted,

By:


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